

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

LUE POWELL, JR.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

No. 2:20-cv-2407-KJN

ORDER GRANTING IFP AND  
DIRECTING SERVICE

(ECF No. 2)

Plaintiff has requested leave to proceed without the prepayment of fees and costs, also referred to as in forma pauperis, pursuant to 28 U.S.C. § 1915.<sup>1</sup> Plaintiff submitted the required affidavit, which demonstrates that Plaintiff is unable to prepay fees and costs or give security for them. Accordingly, the request to proceed in forma pauperis is granted. See 28 U.S.C. § 1915(a).

For the foregoing reasons, IT IS HEREBY ORDERED that:

1. Plaintiff's request to proceed in forma pauperis (ECF No. 2) is GRANTED;
2. The Clerk of the Court is directed to serve a copy of this order on the United States Marshal;
3. Within 14 days from the date of this order, Plaintiff shall submit to the United

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<sup>1</sup> This case was referred to the undersigned pursuant to E.D. Cal. L.R. 302(c)(15) and 28 U.S.C. § 636(b)(1).

1 States Marshal (501 I St., 5th Floor, Sacramento, CA 95814) an original and five  
2 copies of the completed summons, five copies of the complaint, and a completed  
3 USM-285 form, *and shall file a statement with the Court that such documents*  
4 *have been submitted to the United States Marshal;*

- 5 4. The United States Marshal is directed to serve all process without prepayment of  
6 costs not later than 60 days from the date of this order. Service of process shall be  
7 completed by delivering a copy of the summons, complaint, and scheduling order  
8 to the United States Attorney for the Eastern District of California, and by sending  
9 two copies of the summons, complaint, by registered or certified mail to the  
10 Attorney General of the United States at Washington, D.C. See Fed. R. Civ. P.  
11 4(i)(1)(A) & (B). The Marshal shall also send a copy of the summons, complaint,  
12 by registered or certified mail to the Commissioner of Social Security, c/o Office  
13 of General Counsel, Region IX, 160 Spear Street, Suite 800, San Francisco, CA,  
14 94105-1545. See Fed. R. Civ. P. 4(i)(2). *The United States Marshal shall*  
15 *thereafter file a statement with the Court that such documents have been served;*  
16 and  
17 5. The parties are hereby notified that, after service of the complaint, this action will  
18 be STAYED pursuant to General Order Number 615, and there will be no  
19 scheduling order or deadlines in effect pending further order of the court. See E.D.  
20 Cal. G.O. No. 615, Paragraphs 6, 10.

21 Dated: December 6, 2020

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KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE